

foreign policy judgment calls, prudence dictates a prejudice for presidential prerogative. Mr. Clinton cannot make that argument all by himself. He can and should, as George Bush did before him during the Kuwait crisis, make a strong appeal to the American people that U.S. national interests are at stake—and that he has a reasonable strategy to fulfill them.

Congress, for its part, should hold its hearings and delineate whatever conditions on deployment it believes appropriate. But while they're at it, Republicans should remember why it is they have spent the past 15 years defending presidential leadership in foreign affairs. At the end of the day, the Republican Congress should support the president on Bosnia.

Mr. SIMON. The lead editorial, Mr. President, says: "Bosnia: Support the President." This is a magazine, as the Presiding Officer knows, that is primarily oriented to people of conservative view and primarily to Republicans. The final paragraph says:

Congress, for its part, should hold its hearings and delineate whatever conditions on deployment it believes appropriate. But while they're at it, Republicans should remember why it is they have spent the past 15 years defending Presidential leadership in foreign affairs. At the end of the day, the Republican Congress should support the President on Bosnia.

I was pleased last night, Mr. President, when I heard the interview on CBS, Dan Rather's interview with Senator DOLE. Senator DOLE, obviously, could benefit politically right now by denouncing President Clinton and the move that was made. Senator DOLE, to his credit, did not take that posture. It was a statesmanlike response.

I think insofar as possible—obviously, we all have to make judgments on these things, and I respect those whose judgments differ from me on this—but insofar as possible, we should have bipartisan foreign policy. That does require the President to work with Congress and, frankly, I think more than has been done up to this point by this administration.

But the lessons from Woodrow Wilson are that the executive branch has to work with Congress, but the other lesson is a lesson from right after World War II when we had a Democratic President and a Republican Congress, and President Truman, through General Marshall at the Harvard commencement, suggested the Marshall plan, which we look back upon with great pride.

After that was announced, the first Gallup Poll showed 14 percent of the American public supporting the Marshall plan, a plan that ultimately saved western Europe from communism and helped to bring about the demise of communism in Europe.

In the U.S. Senate there was a Republican Senator by the name of Arthur Vandenberg. The Presiding Officer is nodding as though he remembers that. He is too young to remember when Arthur Vandenberg was a member of this body, but I remember it well. Arthur Vandenberg did not take advantage of the situation but worked

with the President for the best interests of this Nation and the best interests of the world.

I think that is what we have to do at this point, Mr. President. I hope we will. We are going to differ and differ strongly on this thing. That is the way it should be. I hope it will not be on a partisan basis.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, at 12:29 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Ms. SNOWE).

Mr. PRESSLER addressed the Chair. The PRESIDING OFFICER. The Senator from South Dakota.

INTERSTATE COMMERCE COMMISSION SUNSET ACT

Mr. PRESSLER. Madam President, I ask unanimous consent that the Senate now turn to the consideration of S. 1396, the Interstate Commerce Commission Sunset Act of 1995.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1396) to amend title 49, United States Code, to provide for the regulation of surface transportation.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Interstate Commerce Commission Sunset Act of 1995".

SEC. 2. AMENDMENT OF TITLE 49.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. TABLE OF SECTIONS.

The table of sections for this Act is as follows:

<i>Section 1. Short title</i>	<i>245</i>
<i>Sec. 2. Amendment of title 49</i>	<i>245</i>
<i>Sec. 3. Table of sections</i>	<i>245</i>
TITLE I—TERMINATION OF THE INTERSTATE COMMERCE COMMISSION AND FEDERAL MARITIME COMMISSION; REPEAL OF OBSOLETE AND UNNECESSARY PROVISIONS OF LAW	251
SUBTITLE A—TERMINATIONS	251
<i>Sec. 101. Agency terminations</i>	<i>251</i>
<i>Sec. 102. Savings provisions</i>	<i>252</i>
<i>Sec. 103. References to the ICC in other laws</i>	<i>254</i>
<i>Sec. 104. Transfer of functions</i>	<i>255</i>
<i>Sec. 105. References to the FMC in other laws</i>	<i>256</i>
SUBTITLE B—REPEAL OF OBSOLETE, ETC., PROVISIONS	256
<i>Sec. 121. Repeal of provisions</i>	<i>256</i>
<i>Sec. 122. Coverage of certain entities under other, unrelated Acts not affected</i>	<i>267</i>
TITLE II—INTERMODAL SURFACE TRANSPORTATION BOARD	267
SUBTITLE A—ORGANIZATION	267
<i>Sec. 201. Amendment to subchapter I</i>	<i>267</i>
"SUBCHAPTER I—ESTABLISHMENT	268
<i>"§10301. Establishment of Transportation Board</i>	<i>268</i>
<i>"§10302. Functions</i>	<i>272</i>
<i>"§10303. Administrative provisions</i>	<i>272</i>
<i>"§10304. Annual report</i>	<i>274</i>
<i>Sec. 202. Administrative support ..</i>	<i>275</i>
<i>Sec. 203. Reorganization</i>	<i>275</i>
<i>Sec. 204. Transition plan for Federal Maritime Commission functions.</i>	<i>275</i>
SUBTITLE B—ADMINISTRATIVE	276
<i>Sec. 211. Powers</i>	<i>276</i>
<i>Sec. 212. Commission action</i>	<i>277</i>
<i>Sec. 213. Service of notice in Commission proceedings</i>	<i>278</i>
<i>Sec. 214. Service of process in court proceedings</i>	<i>280</i>
<i>Sec. 215. Study on the authority to collect charges</i>	<i>280</i>
<i>Sec. 216. Federal Highway Administration rulemaking</i>	<i>281</i>
TITLE III—RAIL AND PIPELINE TRANSPORTATION	281
<i>Sec. 301. General changes in references to Commission, etc</i>	<i>281</i>
<i>Sec. 302. Rail transportation policy</i>	<i>283</i>
<i>Sec. 303. Definitions</i>	<i>283</i>
<i>Sec. 304. General jurisdiction</i>	<i>284</i>
<i>Sec. 305. Railroad and water transportation connections and rates</i>	<i>285</i>
<i>Sec. 306. Authority to exempt rail carrier and motor carrier transportation</i>	<i>285</i>
<i>Sec. 307. Standards for rates, classifications, etc.</i>	<i>287</i>
<i>Sec. 308. Standards for rates for rail carriers</i>	<i>288</i>
<i>Sec. 309. Authority for carriers to establish rates, classifications, etc</i>	<i>289</i>
<i>Sec. 310. Authority for carriers to establish through routes</i>	<i>290</i>
<i>Sec. 311. Authority and criteria for prescribed rates, classifications, etc.</i>	<i>290</i>
<i>Sec. 312. Authority for prescribed through routes, joint classifications, etc.</i>	<i>291</i>
<i>Sec. 313. Antitrust exemption for rate agreements</i>	<i>292</i>
<i>Sec. 314. Investigation and suspension of new rail rates, etc. ...</i>	<i>293</i>
<i>Sec. 315. Zone of rail carrier rate flexibility</i>	<i>294</i>
<i>Sec. 316. Investigation and suspension of new pipeline carrier rates, etc.</i>	<i>297</i>